

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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ERIC EDWARD GARVEY

ORDER

v.

14-cv-190-wmc  
Appeal No. 14-1895

UNITED STATES OF AMERICA

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On April 14, 2014, this court dismissed Eric Edward Garvey's motion pursuant to 28 U.S.C. § 2255, seeking relief from his conviction and sentence. In that same order, the court denied a certificate of appealability for purposes of 28 U.S.C. § 2253(c). Garvey has filed a notice of appeal and he requests leave to proceed on that appeal without prepayment of the appellate docketing fee (\$505.00). After considering Garvey's inmate trust fund account statement, the court finds that he has adequate financial resources to make an initial partial payment followed by monthly installments until he has paid the full appellate filing fee. Accordingly, the court will assess \$26.90 as an initial partial payment of the \$505.00 appellate docketing fee.

ORDER

IT IS ORDERED that:

1. The motion by Eric Edward Garvey for leave to proceed *in forma pauperis* on appeal (Dkt. # 8) is GRANTED.
2. For his appeal to proceed, Garvey shall make an initial partial payment of \$26.90 towards the \$505.00 appellate docketing fee in each of the above-referenced cases. Garvey shall submit a check or money order in that amount, payable to the "Clerk of Court," **no later than July 18, 2014**. The clerk's office will ensure that the

court's financial records reflect Garvey's obligation to pay the \$26.90 initial partial payment and the remainder of the \$505.00 fee.

3. It is Garvey's responsibility to show a copy of this order to prison officials to ensure that they are aware they should send his initial partial appeal payment to this court. If Garvey does not comply as directed or present proof that he is unable to do so by July 18, 2014, then the clerk of court will advise the court of appeals of his noncompliance. Garvey is advised that his failure to comply may result in the dismissal of his appeal.

Entered this 27th day of June, 2014.

BY THE COURT:

/s/

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WILLIAM M. CONLEY  
District Judge